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December 13, 2005

**VIA ECF FILING SYSTEM**

The Honorable Mark L. Wolf  
John Joseph Moakley U.S. Courthouse  
One Courthouse Way, Suite 5110  
Boston, MA 02210

*Re: FM Holdings, LLC v. Mahoney, et al., Civ. No. 05-11400-MLW*

Dear Judge Wolfe,

Plaintiff FM Holdings, LLC respectfully requests that a scheduling conference be held at the Court's earliest convenience, pursuant to Fed. R. Civ. P. 16(a) and Local Rule 16.1(A). The case has been pending since January 26, 2005. It was transferred to this District from the Northern District of Texas and then filed in this Court on or about July 1, 2005.

I am enclosing the parties' Joint Report of a Fed. R. Civ. P. Rule 26 (f) Conference in the above-referenced action, which was filed in this Court on November 10, 2005. Thank you for your consideration.

Respectfully,

  
Sanford F. Remz

enclosure

cc: Timothy Blank, Esq.  
Matthew C. Welnicki, Esq.  
Mr. Kevin Swenke

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

## EASTERN DIVISION

FM HOLDINGS, LLC f/k/a )  
FORWARDMARKET, LLC, )  
Plaintiff, )  
v. )  
BILL MAHONEY and )  
STEPHEN GREGORIO, )  
Defendants. )  
Civ. No. 05-11400-MLW

## **JOINT REPORT OF RULE 26(f) CONFERENCE**

Pursuant to Rule 26(f), Fed. R. Civ. P., the undersigned attorneys for the parties submit this report of a telephonic conference held on September 14, 2005 to discuss a discovery schedule and related matter.

1. Automatic Disclosures. Plaintiff has produced its statement of its Initial Disclosures under Rule 26(a)(1), Fed. R. Civ. P. and Local Rule 26.2. The defendants will produce its statement of its Initial Disclosures by October 21, 2005.

2. Discovery and Motion Schedule. The parties' proposed timetable for completing the various phases of discovery and serving and filing various dispositive motions is as follows:

<u>EVENT</u>	<u>Proposed Deadline for Completion</u>
Fact Discovery	June 14, 2006
Plaintiff's identification of experts and disclosure of information pursuant to Fed. R. Civ. P. 26(a)(2)	July 14, 2006
Defendant's identification of experts and disclosure of information pursuant to Fed. R. Civ. P. 26(a)(2)	August 15, 2006
Expert Depositions	September 13, 2006
Summary judgment motions filed	October 13, 2006

3. Discovery Limits. The parties agree that they will be able to conduct discovery within the limits set forth in Local Rule 26.1 (c).

4. Any Other Orders That Should Be Entered by the Court. The parties expect to agree on an appropriate protective order to protect confidential information of the parties to the case as well as third party witnesses. Other than the protective order, the parties do not foresee any other orders that should be entered by the Court at this time.

Dated: November 10, 2005,

s/Matthew C. Welnicki/

s/Michael S. Shin/

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